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Proposed Attorneys for Debtor and Debtor-In-Possession

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

Case No. BK-S-06-10725 LBR

USA COMMERCIAL MORTGAGE
COMPANY,

Chapter 11

Debtor.

**DECLARATION IN SUPPORT OF MOTION
FOR ORDER SHORTENING TIME TO HEAR
MOTION AUTHORIZING DEBTOR,
PURSUANT TO 11 U.S.C. § 105 AND §
363(b)(1), TO ACCEPT LOAN PAYMENT
PROCEEDS AND PROVIDE PARTIAL
RELEASES OR FULL RELEASES IN
CONNECTION WITH THE SALE OF
PROPERTIES SECURING LOANS
ORIGINATED BY THE DEBTOR TO THIRD-
PARTY BORROWERS, AND TO RATIFY
PARTIAL RELEASES PREVIOUSLY
PROVIDED BY THE DEBTOR**

Date of Hearing: OST REQUESTED
Time of Hearing: OST REQUESTED

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Jeanette E. McPherson, Esq. of Schwartzer & McPherson Law Firm, attorney for the above captioned debtor and debtor in possession (the "Debtor"), under penalties of perjury, hereby declares on this 3rd day of May, 2006 that:

1. A Motion Authorizing Debtor, Pursuant To 11 U.S.C. § 105 and § 363(b)(1), To Accept Loan Payment Proceeds And Provide Partial Releases Or Full Releases In Connection With The Sale Of Properties Securing Loans Originated By The Debtor To Third-Party Borrowers, And To Ratify Partial Releases Previously Provided By The Debtor has been filed. This Motion requests that the Court enter an order granting the Motion to satisfy Debtor's critical and immediate need to assure its borrowers and other interested parties for real estate transactions on the secured loans originated by the Debtor, that the Debtor is able to satisfy its contractual obligations in connection with real estate closings, to accept loan payment proceeds, and provide the partial releases or full releases required in connection with the sale to bona fide purchasers of properties securing such loans. The Debtor believes that most, if not all, of the actions that Debtor is required to take in connection with these real estate closings are ordinary course of business transactions, but the parties to these closings, including borrowers, purchasers, title companies and senior lenders, have been questioning whether the Debtor has the ability and authority to participate in these closings. Therefore, Debtor has filed this Motion to seek assurance for interested parties that the actions taken and to be taken in the future by the Debtor in connection with these closings are authorized by the Bankruptcy Code and the Court. The Debtor further requests ratification by the Court of any partial releases already provided by the Debtor postpetition for any of the loans outlined in this Motion.

2. The Debtor is requesting that this Motion be heard as soon as possible at the hearing scheduled for May 18, 2006, to allow the Debtor to participate in the pending and future closings in the ordinary course of business.

3. Notice can be shortened pursuant to Bankruptcy Rule 9006(c)(1) and LR 9006(a).

4. Hearings are currently scheduled in this matter on May 18, 2006 at 9:30 a.m. to hear other motions, and holding a hearing on the Motion at the same time would serve the interests of judicial economy.

1 5. No known party opposes hearing the Motion on shortened time.

2 Respectfully submitted on May 3, 2006.

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4 /s/ Jeanette E. McPherson

5 Jeanette E. McPherson, Nevada Bar No. 5423
6 SCHWARTZER & MCPHERSON LAW FIRM
7 2850 South Jones Boulevard, Suite 1
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9 Proposed Attorneys for Debtor
10 and Debtor-In-Possession
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